

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:10-CV-249-F

UNITED STATES OF AMERICA, for the)
use of BRESLOW CONSTRUCTION,)
LLC,)

Plaintiff,)

v.)

ORDER

CADDELL CONSTRUCTION CO., INC.;)
W.G. YATES & SONS CONSTRUCTION)
COMPANY; CADDELL YATES JOINT)
VENTURE; TRAVELERS CASUALTY)
AND SURETY COMPANY OF)
AMERICA; FIDELITY AND DEPOSIT)
COMPANY OF MARYLAND; and)
ZURICH AMERICAN INSURANCE)
COMPANY,)

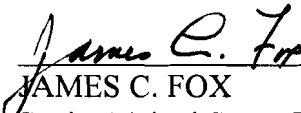
Defendants.)

This matter is before the court on the Stipulation as to Arbitration and Stay of Proceedings [DE-38] filed by Plaintiff Breslow Construction Co., Inc. (“Plaintiff”) and Defendants Caddell Construction Co., Inc., W.G. Yates & Sons Construction Company, Caddell Yates Joint Venture, Travelers Casualty and Surety Company of America, Fidelity and Deposit Company of Maryland, and Zurich American Insurance Company (collectively hereinafter “Defendants”). Having reviewed the filed stipulation, Defendants’ Motions to Stay and Compel Arbitration [DE-24; DE-27] are ALLOWED. Plaintiff and Defendants are ORDERED to resolve all issues pertaining to this civil action through arbitration in Montgomery, Alabama, as stipulated to by all parties involved. This action hereby is STAYED pending resolution of such arbitration. Furthermore, the parties are

DIRECTED to submit a status report of the arbitration proceedings no later than 90 days from the filing date of this order, and every 90 days thereafter, until such proceedings are concluded.

SO ORDERED.

This, the 25th day of May, 2011.



JAMES C. FOX
Senior United States District Judge